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## SYNOPSIS: A CRIMINOLOGY OF NARRATIVE FICTION

Rafe McGregor, Edge Hill University

### ABSTRACT:

The purpose of this article is to summarise *A Criminology of Narrative Fiction* (McGregor 2021), which is the subject of this special issue of the *Journal of Theoretical and Philosophical Criminology*. The monograph is a development and expansion of 'Criminological Fiction: What is it good for?' (McGregor 2020), which was published in the January 2020 issue of the journal. Although the axiology and research framework of the article and the monograph differ, their argument and conclusion are identical. My thesis is that some narrative fictions can provide at least one or more of the following types of criminological knowledge: phenomenological, counterfactual, and mimetic. *A Criminology of Narrative Fiction* employs the phenomenological, counterfactual, and mimetic values of fiction to establish a theory of the criminological value of narrative fiction.

KEY WORDS: Counterfactual thinking, Fiction, Mimesis, Narrative, Phenomenology

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### Narrative Fiction

My theory of the criminological value of narrative fiction is restricted in terms of the kind of narrative representation, but not the mode. The kind of narrative with which I am concerned is exemplary – or, more simply, complex – narratives, which I define as: 'the product of an agent that is high in narrativity in virtue of representing one or more agents and two or more events which are causally connected, thematically unified, and conclude' (McGregor 2021: 7). Complex narratives thus defined can be categorised as fictional, nonfictional, or a combination of the two.

They can be produced in descriptive (linguistic), depictive (pictorial), or hybrid modes of representation and my focus is on the cinematic mode of representation, which is a hybrid of description and depiction that includes both feature films and television series. As Jon Frauley (2021a: 1) has already pointed out in his review of *A Criminology of Narrative Fiction*, the 'bedrock' of my theory is my scepticism about the epistemic significance of the distinction between fictional and nonfictional narratives. This may seem like an extravagant claim intended to court controversy, but it is not. In fact, I was not as assertive as I should have been about my position in either the article or the monograph: *the view that there is a significant epistemic distinction between fictional and nonfictional narratives is straightforwardly naïve*. The epistemic distinctions between narrative representation and non-narrative representation and between complex narratives and simple narratives are both more significant than the distinction between fictional and nonfictional complex narratives.

I offer three reasons for this epistemic insignificance in the monograph. It is worth noting, however, that many more are available when one considers the disciplines of philosophy, literary studies, cultural studies, and criminology alone and that I restricted myself to three of the most important because of the constraints of the series in which *A Criminology of Narrative Fiction* was published (Bristol University Press' New Horizons in Criminology, which is limited to short monographs). Each of my reasons addresses a popular but erroneous conception of the distinction between fiction and nonfiction in terms of a dichotomy: false vs. true; imagined vs. believed; and invented vs. existent. In each case, the relationship is not nearly as simple as the opposition suggests. First, fictions are full of truths regardless of the genre of fiction in question. Second, imaginative engagement is demanded by all complex narratives, even more so when those complex narratives are descriptive rather than depictive. Third, the transformation of a sequence of events into a complex narrative involves a process of invention regardless of the ontological status of those events. Fiction is a rule-bound practice that informs a particular type of communication between an author or director on the one hand and a reader or audience on the other hand and this practice is characterised by a greater tolerance for inventiveness, imaginativeness, and fabrication than the practice of nonfiction. Finally, one should remember that the link between fiction on the one hand and accuracy, correspondence, likeness, realism, verisimilitude, and vividness on the other hand was acknowledged for centuries and only came under serious scrutiny during the Romantic Era. The lengthy association of fiction with reality does not make the thesis of truth in fiction more likely, but social scientists would do well to recognise that popular attitudes to fiction have undergone a complete reversal – from fiction as essentially true to fiction as essentially false – in less than two hundred years.

### **Narrative Criminology**

Having established the foundation of my theory as scepticism about the epistemic significance of the distinction between fiction and nonfiction, I proceed to set out my research framework, which is delineated in dialogue with Lois Presser's (2008, 2013, 2016, 2018) narrative criminology and Frauley's (2010, 2021b) perspectival realism.<sup>1</sup> My criminology of narrative fiction shares the realist approach to social reality with the narrative criminological framework as well as all three of the framework's core commitments: complex narratives are significant to the discipline of criminology; complex narratives have aetiological value; and complex narratives contribute to desistance. I also share Presser's (2016) emphasis on narrative form, although my emphasis is on both narrative form *and* narrative content – specifically, on the ways in which their integration can provide different types of knowledge across different modes of representation – rather than narrative form at the expense of narrative content. My interest in complex fictional narratives is the extent to which (and ways in which) they represent rather than misrepresent reality, i.e. with a representational relationship between narrative and reality. In contrast, Presser's (2008) concern is with life stories and although these stories are regarded as having a constitutive relation with reality (to which the categories of fiction and nonfiction are irrelevant), the focus of narrative criminology to date has been almost exclusively on nonfictional narratives. Where Presser (2008, 2013, 2018) makes extensive use of the ethical value of narratives in her discussions of heroic struggle, cultural logics, and moral emotions, the relationship between

narrative representation and ethical value that I explored in *Narrative Justice* (McGregor 2018) has no role in my criminology of narrative fiction. On the basis that the similarities between my theory and Presser's framework are more significant than the differences, my criminology of narrative fiction is most accurately described as emergent from the narrative criminological framework.

While there is considerable overlap between perspectival realism and my criminology of narrative fiction, the perspectival realist framework as it has been employed to date has been restricted to exploring the pedagogic role of narrative fiction, to facilitating, augmenting, or enhancing the communication of knowledge of crime and its control. Frauley's (2010) discussion of film as an analytic tool for criminology gestures towards the aetiological value of narrative fiction, but his conception of fictional reality as an empirical referent is in virtue of protracted illustration, an extension of the use of film as an accessible example or instantiation of theory or practice. In consequence, the analytic values of narrative fiction established by Frauley and Vincenzo Ruggiero (2003) are part and parcel of the pedagogic rather than the aetiological value of narrative fiction. The primary subject of my criminology of narrative fiction is the aetiological value of complex narratives and despite the degree of overlap with perspectival realism, the distinction between the pedagogic and the aetiological roles of narrative fiction in criminology is sufficient to distinguish my theory from Frauley's framework. My criminology of narrative fiction can be conceived as employing a narrative criminological framework to solve the perspectival realist framework's problem of the aetiological value of narrative fiction. My argument for the aetiological value of complex narratives is based on the combination of three distinct types of value: phenomenological, counterfactual, and mimetic.

### Phenomenology

My approach to all three aetiological values is firmly rooted in the analytic (or Anglo-American) tradition of philosophy rather than the phenomenological-hermeneutic (or Continental) tradition. Notwithstanding, I am convinced that there is merit in both traditions and my individual interpretations and appreciations probably draw more heavily on literary theory than literary aesthetics. *Phenomenological knowledge* is knowledge of what a particular lived experience is like. This is sometimes abbreviated as knowledge-what (something is like) and contrasted with both knowledge-that (such and such is so) and knowledge-how (to perform some act). The *phenomenological value* of a complex narrative is the extent to which the narrative representation provides knowledge of the lived experience of perpetrating crime or social harm. I demonstrate that narrative fictions can be valuable to criminology in this way by means of two case studies: Martin Amis' (2014) novel, *The Zone of Interest*, and Tom King and Mitch Gerads' (2018) graphic novel, *The Sheriff of Baghdad*.

Amis (2014) employs three literary devices to provide phenomenological knowledge of collaboration in the National Socialist genocide of Jews, Jehovah's Witnesses, Roma, Eastern Europeans, the disabled, homosexuals, and socialists 1939-1945. The first of these is the combination of narrators (the three protagonists) and narration (in the first person), which provides direct access to the thoughts of the three perpetrators. Second, the three narrators are compared and contrasted in terms of their motivation for participating in the genocide, examining a range of selfish causes of collaboration. Third, Amis exploits the referential relation between representation and reality to suggest parallels between the concentration, extermination, and labour camps of Auschwitz and the detention camp in Guantanamo Bay. King and Gerads (2018) employ three literary and graphic devices in *The Sheriff of Babylon* to provide phenomenological knowledge of collaboration in the mass harm of the Coalition Forces' occupation of Iraq. First, the juxtapositioning of the three protagonists – an American contractor, a Sunni expatriate, and a Shia police chief – whose interests diverge and intersect on multiple occasions as the narrative progresses. Second, Gerads provides an immersive representation of the sights and sounds of the hyper-violent environment in which the American protagonist, with whom I am primarily concerned, finds himself. Third, the subversion of the expectations created by the murder mystery genre in order to reveal occupied Baghdad as an epistemic and moral

vacuum in which the consequences of actions cannot be predicted and in which meaning is arbitrary.

In each of the case studies, the combination of literary and/or graphic devices provides knowledge of the lived experience of perpetrating, collaborating in, or facilitating social harm. This phenomenological knowledge constitutes the phenomenological value of *The Zone of Interest* and *The Sheriff of Babylon* respectively and this phenomenological value is part and parcel of the works' respective criminological values in virtue of its aetiological character. I conclude that in providing phenomenological knowledge of the lived experience of the fictional offenders, the case studies provide explanations of the causes of actual social harm, data that could be employed in the reduction or prevention of those social harms.

### Counterfactuality

*Counterfactual knowledge* is knowledge of reality that is provided by the exploration of alternatives to that reality. Complex narratives explore alternative realities in at least two different ways. *Ideal counterfactuals* pair a particular set of circumstances with a preferred response to those circumstances and the relationship between representation and reality is such that the knowledge provided for the fictional world holds for any actual world (past, present, or future) in which the ideal occurs. *Probable counterfactuals* simultaneously represent an alternative to reality and suggest that this alternative may be partially or totally true, that the fictional explanation of circumstances, practices, or theory may be the actual historical or contemporary explanation. The *counterfactual value* of a complex narrative is the extent to which the narrative representation provides knowledge of reality by means of exploring alternatives to that reality. I demonstrate that narrative fictions can be valuable to criminology in this way by means of two case studies: ITV's *Broadchurch 3* (2017) television series and Marlon James' (2014) novel, *A Brief History of Seven Killings*.

*Broadchurch 3* is an example of an ideal counterfactual and provides knowledge of the legal and moral responsibility for rape by means of the integration of narrative content with narrative form, specifically the combination of changes in the circumstances of the rape represented in the narrative with changes in the framework from which the victim is viewed. The studio creates a cinematic experience in which the audience is encouraged to accept one or more rape myths as the season progresses before revealing those myths and the victim blaming with which they are associated as unambiguously irresponsible and unethical. *A Brief History of Seven Killings* is an example of a probable counterfactual, providing knowledge of the causes of organised crime in Jamaica and New York in the last quarter of the twentieth century in particular as well as the role of international politics in crime causation in general. This knowledge is provided by blurring the distinction between representation and reality at two levels, the novel's subject (which is about both the rise and fall of a fictional gangster and the likelihood of actual CIA involvement in Jamaican politics during the Cold War) and the novel's characters, settings, and action (some of which are real, some of which are fictionalised versions of reality, and some of which are fictional). In the case studies, cinematic and literary devices are employed to provide counterfactual knowledge of causes of crime by means of exploring alternatives to reality or, more accurately, by means of exploring the alternative reality of a narrative fiction.

The counterfactual knowledge constitutes the counterfactual value of *Broadchurch 3* and *A Brief History of Seven Killings* respectively and this counterfactual value is part and parcel of the works' respective criminological values in virtue of its aetiological character. I conclude that in providing counterfactual knowledge of the appeal of rape myths and the role of international politics in crime, the case studies provide explanations of the causes of actual crime, data that could be employed in the reduction or prevention of those crimes.

### Mimesis

*Mimesis* is the re-creation or imitation of reality and the two denotations reflect two types of interest in mimesis that are relevant to criminological inquiry, the aesthetic and the

anthropological. The aesthetic interest in mimesis as the re-creation of reality has been central to the practice of the fine arts and the conventions of representation in Europe for over two millennia. Doubts about the aesthetic value of mimesis in the nineteenth century were matched by the development of the anthropological interest in mimesis as imitation, as either a biological faculty or a social practice. The focus of my interest is the aesthetic, specifically the conventions employed to re-create reality, although I also discuss the way in which the cinematic mode of representation integrates the anthropological with the aesthetic. *Mimetic knowledge* is knowledge of everyday reality that is detailed and accurate. The *mimetic value* of a complex narrative is the extent to which the narrative representation provides knowledge of the world by representing everyday reality in detail and with accuracy. Although complex narratives across different modes of representation can provide mimetic knowledge, there is a particularly robust relationship between the cinematic mode of representation and mimetic value as a result of the characteristic realism of the cinematic mode of representation, which is the extent to which cinematic narratives appear to reproduce rather than represent reality (Gaut 2010). I demonstrate that narrative fictions can be valuable to criminology in this way by means of two case studies: Michael Mann's *Miami Vice* (2006) and Fernando Meirelles and Kátia Lund's *City of God* (2002).

In *Miami Vice*, Mann employs stylistic and structural devices to provide detailed and accurate knowledge of the absolute power wielded by the senior management of organised criminal enterprises. I explain the way in which this knowledge is provided by means of an analysis of a particular scene in the film, in which the two protagonists are interviewed by the apparent head of a South American cocaine cartel. My analysis includes a discussion of the relevance of the place of the scene within the overall narrative, which demonstrates how narrative fictions (cinematic and other) create layers of implicit meaning in addition to the explicit information conveyed. In *City of God*, Meirelles and Lund employ self-reflexive storytelling and a complicated narrative architecture to provide detailed and accurate knowledge of the motivations for collaboration and cooperation with, and resistance to, organised criminal enterprises in deprived communities. I show how the self-reflexive narration and narrative architecture reproduce the way in which the multiple motivations of the characters overlap, intersect, and oppose one another to create a situation that impedes resistance to organised criminal enterprises. I also note that there are various other ways in which the complex narrative could be considered paradigmatic in providing mimetic knowledge, including: being a fictionalised autobiography, the employment of amateur actors who were encouraged to improvise, and the use of an actual *conjunto* for the filming location.

In each of the case studies, stylistic and narrative devices are employed to provide detailed and accurate knowledge of organised criminal enterprises, specifically the absolute power wielded by senior management and the obstacles to resisting organised crime. This mimetic knowledge constitutes the mimetic value of *Miami Vice* and *City of God* and the mimetic value is part and parcel of the works' respective criminological value in virtue of its aetiological character. I conclude that in providing mimetic knowledge of the power and acceptance of organised crime, the case studies provide explanations of the causes of actual crime, data that could be employed in the reduction or prevention of those crimes.

### **Aetiology**

The argument of *A Criminology of Narrative Fiction* can be summarised as follows:

- (1) After debunking the epistemic significance of the distinction between fictional and nonfictional narratives and locating my approach as emergent from the narrative criminological framework, I propose three aetiological values of fictional representations for criminological inquiry.
- (2) I employ six case studies to demonstrate that fiction has: (a) phenomenological value in virtue of providing knowledge of what certain experiences are like; (b) counterfactual value in virtue of providing knowledge of possible but non-existent

situations; and (c) mimetic value in virtue of providing detailed and accurate knowledge of reality.

- (3) I conclude that the criminological value of fiction is constituted by the phenomenological, counterfactual, and mimetic values of fiction to the extent that, whether taken in isolation or combination, the phenomenological, counterfactual, and mimetic knowledge conveyed by fiction provides data that complements the data provided by traditional criminological sources in explaining the causes of crime and social harm.

In combining the phenomenological, counterfactual, and mimetic values of complex narratives, my argument moves beyond the previous criminological engagements with fiction to demonstrate the aetiological role of fiction. Although my criminology of narrative fiction is primarily concerned with establishing this aetiological value – which, in turn, constitutes the primary contribution of my theory to the discipline of criminology – I have no desire to minimise the significance of the pedagogic value of complex narratives and the penultimate chapter of *A Criminology of Narrative Fiction* is a discussion of pedagogic value.

My focus is exclusively on criminological cinema, understood as Hollywood feature films that take crime or social harm or the control of crime or social harm as their subject, on the basis of the relevance of audience size to pedagogic value. I begin by describing pedagogic value as a function of accessible communication and audience engagement and propose that the characteristic realism of the cinematic mode of representation and the mythic storytelling characteristic of the Hollywood film industry contribute to both accessible communication and audience engagement. The characteristic realism of the cinematic mode of representation facilitates accessible communication because cinematic representations typically require minimal interpretation and are usually more accessible – more easily and more quickly understood – than other hybrid or literary representations. Unlike literary and other hybrid representations, feature films engage audiences on two sensory levels, visual and aural, such that the experience of watching a film is more immersive than that of reading a novel or a graphic novel. Similarly, there is something about the mythic mode of storytelling that enhances audience engagement, as evinced by the combination of audience participation and repeat viewings (Yorke 2013). This mode of storytelling also contributes to accessible communication, however, because the structure it employs is one with which all audiences are familiar, from their earliest memories of listening to stories. With regard to narrative form, one knows what to expect when one watches a Hollywood feature film, which makes it easier to follow the narrative content represented. The combination of the characteristic realism of the cinematic mode of representation and the mythic mode of storytelling in Hollywood feature films thus contributes to the accessible communication and the audience engagement that constitute the pedagogic value of criminological cinema. I explain the relationship between pedagogic and aetiological value by means of a seventh and final case study, Martin Brest's *Beverly Hills Cop* (1984).<sup>2</sup>

## Notes

- <sup>1</sup> I refer to the research framework in which Frauley (2010) locates himself and Ruggiero (2003) as the 'critical realist framework' in *A Criminology of Narrative Fiction* (McGregor 2021: 37). Frauley (2021a) has, however, challenged this categorisation so I use his later term, 'perspectival realism', for the sake of clarity (Frauley 2021b: 2).
- <sup>2</sup> This work has been supported in part by the Croatian Science Foundation under the project UIP-2020-02-1309.

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